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FILED

2017 AUG 23 PM 1:26
U.S. MAGISTRATE JUDGE

BY _____

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

-oOo-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**VICTOR NAVARRO, and
JOSE SALVADOR GONZALEZ
MILLAN,**

Defendants.

Magistrate No. 2:17-mj-0865-PAL

CRIMINAL COMPLAINT

Violation:

21 U.S.C. §§ 846, 841(a)(1)(a),
(b)(1)(B)(i) – Conspiracy to
Distribute a Controlled Substance –
Heroin

BEFORE a United States Magistrate Judge of the United States District Court
for the District of Nevada, the undersigned Complainant, being duly sworn, deposes
and states:

COUNT 1: – CONSPIRACY TO DISTRIBUTE CONTROLLED SUBSTANCES

Beginning from a time unknown, and continuing up to and including August 22,
2017, in the State and Federal District of Nevada and within the jurisdiction of this

1 Court, **VICTOR NAVARRO** and **JOSE SALVADOR GONZALEZ MILLAN**, the
2 defendants herein, did knowingly participate in a conspiracy to distribute controlled
3 substance - Heroin, in violation of 21 U.S.C. §§ 846, 841(a)(1), (b)(1)(A)(viii) and
4 (b)(1)(B)(i).

5 **PROBABLE CAUSE AFFIDAVIT**

6 Complainant, Ryan S. Burke, as a Special Agent with the Federal Bureau of
7 Investigation (FBI), states the following as and for probable cause:

8 1. Complainant is a Special Agent with the Federal Bureau of Investigation
9 (FBI), and has been so employed since October 2012. Currently, Complainant is
10 assigned to the Las Vegas Field Office's Safe Streets Gang Task Force (hereafter,
11 "SSGTF") and is responsible for investigating violent crimes including but not limited
12 to cases involving drug trafficking, kidnapping, extortion, robbery, felons in possession
13 of firearms, as well as investigations into the activities and operations of criminal
14 enterprises. Your Complainant has experience in conducting criminal investigations,
15 including the investigation of criminal groups and conspiracies, as well as the
16 collection of evidence and the identification and use of witnesses.

17 2. The information used to support this Complaint was derived from first
18 hand observations made by law enforcement personnel, consensually recorded
19 telephone conversations, consensually recorded in-person meetings, statements made
20 by defendants, and a seizure of heroin. This Complaint contains information necessary
21 to support probable cause to believe that the criminal offense described herein was
22 committed by the defendants and is not intended to include each and every fact and
23 matter observed by your Complainant or known to the Government. Moreover, to the

1 extent that this Complaint contains statements by witnesses and defendants, those
2 statements are set forth only in part and in substance and are intended to accurately
3 convey the information, but not to be verbatim recitations.

4 **FACTS ESTABLISHING PROBABLE CAUSE**

5 3. On August 21, 2017, an FBI Confidential Source ("CS-1") was contacted
6 by an individual utilizing the moniker of "Loco," later identified as NAVARRO,
7 regarding a planned delivery of heroin from Phoenix to the CS-1 in Las Vegas,
8 Nevada. The call, which was consensually recorded by CS-1 at the direction of the
9 FBI, detailed NAVARRO's plan to transport one kilogram of heroin to CS-1 on the
10 following day. NAVARRO and CS-1 agreed to arrange a meeting location to conduct
11 the heroin transaction as soon as NAVARRO arrived in Las Vegas on August 22, 2017.

12 4. On August 22, 2017 at the direction of the FBI, CS-1 and another FBI
13 Confidential Source ("CS-2") informed NAVARRO they were ready to conduct the
14 heroin transaction and provided him with a meeting location. NAVARRO arrived at
15 the meeting location as the driver of a black Kia sedan with a front passenger later
16 identified as MILLAN. NAVARRO informed CS-2 he needed to see the money before he
17 called an unknown associate to bring the heroin to the meeting location. Consequently,
18 the Confidential Sources departed the initial meeting location and went to another
19 location where they utilized a video-calling phone application to show NAVARRO the
20 currency. Soon after, NAVARRO departed the initial meeting location and went to
21 another location where he utilized the same video-calling phone application to show
22 the Confidential Sources what they believed to be heroin. NAVARRO and CS-2 then
23 agreed to meet back at the initial meeting location to conduct the transaction.

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2 5. Upon NAVARRO's and MILLAN's return to the meeting location, FBI
3 Agents and Task Force Officers stopped the Kia sedan and ordered both of them out of
4 the vehicle. NAVARRO exited from the driver's seat and MILLAN exited from the front
5 passenger seat. Visible in the driver's door pocket was a white bundle that appeared
6 consistent with packaging utilized for narcotics. Further inspection of the bundle
7 revealed that it contained a brown substance, which was believed to be the previously
8 discussed heroin. Consequently, NAVARRO and MILLAN were arrested and
9 transported to the FBI office for interviewing. The suspected heroin weighed
10 approximately 502.4 grams¹.

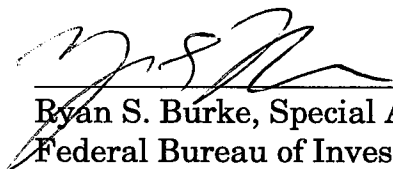
11 6. Investigators advised MILLAN of his rights according to the FBI's Advice
12 of Rights form, to which he acknowledged understanding, and attempted to interview
13 him. MILLAN denied being involved in a narcotics transaction. He explained that he
14 and NAVARRO traveled to Las Vegas from Phoenix to sightsee for a couple hours and
15 then planned on returning to Phoenix on the same day.

16 7. Next, investigators advised NAVARRO of his rights according to the FBI's
17 Advice of Rights form, which he signed to memorialize his understanding of those
18 rights and his willingness to answer questions without an attorney present.
19 NAVARRO explained that he and MILLAN departed from Phoenix, Arizona early in
20 the morning for the purpose of traveling to Las Vegas, Nevada to make a one kilogram
21 heroin delivery to CS-1. Both individuals were aware of the purpose for their trip to
22 Las Vegas because both individuals visually observed the heroin that was provided to

23 ¹ The suspected heroin could not be field-tested because such kits do not exist and this type of heroin requires laboratory testing.

1 them by a common associate. NAVARRO explained that only one-half of the kilogram
2 of heroin was seized by law enforcement because the other half was in a second vehicle
3 that law enforcement did not identify. NAVARRO corroborated all of the
4 aforementioned details of his interactions with the Confidential Sources.

5 8. Based on the foregoing, there is probable cause to believe that NAVARRO
6 and MILLAN conspired to distribute heroin, in violation of Title 21, Sections 846,
7 841(a)(1)(a), (b)(1)(B)(i).

8
9 
Ryan S. Burke, Special Agent
Federal Bureau of Investigation

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11
12 SUBSCRIBED and SWORN to before me
this 23rd day of August, 2017.

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14 
UNITED STATES MAGISTRATE JUDGE